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Kenai Limited Employee Benefit Plan*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

KENAI DRILLING LIMITED, a Delaware  
Corporation, and KENAI DRILLING LIMITED  
EMPLOYEE BENEFIT PLAN,

Case No.: 2:24-cv-01559-CDS-EJY

Plaintiffs,

vs.

SUN LIFE ASSURANCE COMPANY OF  
CANADA, a Delaware corporation,

Defendant.

**STIPULATION AND ORDER TO EXTEND TIME FOR PLAINTIFFS TO  
FILE RESPONSE TO DEFENDANT'S MOTION TO DISMISS (FIRST REQUEST)**

Pursuant to Local Rule IA 6-1 and IA 6-2, it is hereby stipulated between Plaintiffs, Kenai Drilling Limited and Kenai Drilling Limited Employee Benefit Plan ("Plaintiffs"), by and through their counsel of record, Marquis Aurbach, and Defendant Sun Life Assurance Company of Canada ("Sun Life"), by and through their counsel of record, Figari + Davenport, LLP and Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC, that the deadline for Plaintiffs to file a response to Defendant's Motion to Dismiss be extended from July 4, 2025 to **July 18, 2025**.

1. Plaintiffs filed a Petition to Compel Defendant Sun Life to Arbitration in the Eighth Judicial District Court of Nevada, on July 24, 2024.

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- 1           2.     Sun Life filed a Petition for Removal of Action on August 23, 2024 [ECF No. 1].
- 2           3.     On September 16, 2024, Sun Life filed their Response to the Petition to Compel
- 3 Arbitration [ECF No. 13].
- 4           4.     Plaintiffs filed their Reply in Support of the Petition on October 11, 2024, including
- 5 a request for leave to file an amended complaint against Sun Life [ECF No. 27].
- 6           5.     On January 21, 2025, the Court issued an Order and Report and Recommendation
- 7 as to the Petition to Compel, and granted Plaintiffs' motion for leave to file an amended complaint
- 8 [ECF No. 33].
- 9           6.     Plaintiffs filed an objection to the Court's Report and Recommendation on
- 10 February 4, 2025 [ECF No. 34] and filed their First Amended Complaint on April 22, 2025 [ECF
- 11 No. 37].
- 12           7.     Pursuant to stipulation of the Parties, Defendant filed a Motion to Dismiss [ECF
- 13 No. 44] in response to Plaintiff's First Amended Complaint on June 20, 2025.
- 14           8.     The Parties hereby agree to extend the deadline for Plaintiffs to file their response
- 15 from July 4, 2025 to **July 18, 2025**.
- 16           9.     This Stipulation is filed before Plaintiffs' response is due, is made in good faith,
- 17 and is not sought for the purpose of unwarranted delay.

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1 IT IS SO STIPULATED.

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3 Dated this 27<sup>th</sup> day of June 2025.

4 **MARQUIS AURBACH**

5  
6 /s/ Sydney A. Soder

7 Christian T. Balducci, Esq.

8 Nevada Bar No. 12688

9 Sydney A. Soder, Esq.

10 Nevada Bar No. 17120

11 *Attorneys for Plaintiffs*

Dated this 27<sup>th</sup> day of June 2025.

**FIGARI + DAVENPORT, LLP**

/s/ Lance V. Clark

Bill E. Davidoff, Esq. (*Pro Hac Vice*)

Lance V. Clack, Esq. (*Pro Hac Vice*)

**WEINBERG, WHEELER, HUDGINS,  
GUNN & DIAL, LLC**

Jeremy R. Alberts, Esq.

Nevada Bar No. 10497

*Attorneys for Defendant*

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13 IT IS SO ORDERED.

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17 U.S. MAGISTRATE JUDGE

18 Date: June 30, 2025

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